

#5/13

FIRST CLASS MAIL CERTIFICATE

Date of Deposit: December 20, 2000

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3573-110.1 US

Applicant: Jose Ramon Botella

Serial No.: 09/669,476

Group Art Unit: 1649

Filed: September 25, 2000

Examiner: TBA

Title: NOVEL ACC SYNTHASE GENE

**Second Preliminary Amendment**

Please enter the following amendments before the Examination of the above-identified application.

IN THE CLAIMS:

Please amend the claims as follows:

Cancel claims 1-13 without prejudice.

Add claims 14-26 as follows:

2.1.124  
B1  
14. (New) A nucleotide sequence which is of sufficient length to regulate the level of ACC synthase gene expression, and which hybridizes under high stringency conditions with a sequence of nucleotides set forth in SEQ ID NO. 1, wherein the high stringency conditions are selected from the group consisting of:

- (i) 0.1 x SSC/0.1% SDS at about 68°C for at least about 20 minutes; and
- (ii) 0.2 x SSC/0.1% SDS at about 68°C for about one hour.

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15. (New) A nucleotide sequence which is of sufficient length to regulate the level of ACC synthase gene expression, and which hybridizes under high stringency conditions with a sequence of nucleotides set forth in SEQ ID